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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sweeney, Patrick J.

Title: VERTEBRAL PROSTHESIS

Appl. No.: 10/686,998

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Art Unit: 3738 Conf. No.: 7428

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND REPLY UNDER 37 CFR 1.116

This communication is responsive to the Final Office Action dated December 1, 2009, concerning the above-referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks begin on page 10 of this document.

Please amend the application as follows: